

Regulatory Language

Section 180.1, Title 14, CCR, is amended to read:

180.1. Spot Prawn (*Pandalus platyceros*) Fishing.

Spot prawns may only be taken by trawl nets for commercial purposes pursuant to ~~sections 120 and 120.3~~ subsection 120.3 (g) of these regulations, or by traps, pursuant to sections 180, 180.2, 180.5 and this section.

(a) No trap may be used to take spot prawns from November 1 through January 31, between a line drawn due west from Point Arguello, Santa Barbara County and the United States -- Mexico boundary. No trap may be used to take spot prawns from May 1 through July 31 ~~(for the year 2000 May 3 through July 31)~~ between a line drawn due west from Point Arguello, Santa Barbara County, and the California-Oregon boundary.

(1) Spot prawn traps may be set and baited no earlier than 0600 hours (6:00 a.m.) on January 31 in waters south of a line drawn due west from Point Arguello, and no earlier than 0600 hours (6:00 a.m.) on July 31 in waters north of a line drawn due west from Point Arguello.

(2) In areas in which the season closure begins November 1, all ~~All~~ traps must be removed from the water prior to November 1, weather and sea conditions permitting. In areas in which the season closure begins May 1, all traps must be removed from the water prior to May 1, weather and sea conditions permitting. In the event that a permittee is unable to comply with this subdivision, then that person must notify the nearest department office via telephone or FAX and certified mail not later than 1600 hours (4:00 p.m.) on November 1 or May 1, whichever is applicable, stating the reason for the delay and the anticipated date of trap removal. Notification does not relieve the permittee of responsibility for complying with this subdivision unless approved by the department.

(3) All spot prawns taken in any trap during the closed season shall be immediately returned to the water and no spot prawn may be possessed aboard, or landed from, any vessel operating under authority of a spot prawn trap permit in any area during the closed season in that area.

(b) All spot prawn traps shall be made of plastic or wire mesh with a minimum inside measurement of 7/8 inch by 7/8 inch, such that a 7/8 inch square peg passes through the mesh without stretching the mesh. (Note: Fathom Plus Traps may be used to take spot prawns.)

(c) Trap Limits.

(1) Tier 1 and Tier 3 trap limits. Not more than 500 traps may be used from any Tier 1 or Tier 3 vessel to take spot prawns except that not more than 300 traps may be used from any Tier 1 or Tier 3 vessel to take spot prawns within three miles of the mainland shore between a line drawn due west from Point Arguello, Santa Barbara County, and the California-Oregon boundary.

(2) Tier 2 trap limits. Not more than 150 traps may be used from any Tier 2 vessel.

(d) Each string of spot prawn traps shall be marked with a buoy bearing the commercial fishing license identification number issued to the owner or operator of the vessel.

~~(e) Observer fee. All vessels landing spot prawns taken by trap from July 14, 2000, to March 31, 2001, must show proof of payment of a \$250 observer fee. All funds from this fee will be used to place department observers onboard spot prawn trap and trawl vessels to obtain information on bycatch.~~

NOTE:

Authority cited: Sections 710.7, 711 and 8591, Fish and Game Code.

Reference: Sections 710.7, 711, 8140, 8590, 8591, 8593, 8594, 8595, 8842, 9000, 9001, 9004-9008 and 9015, Fish and Game Code.

Section 180.3, Title 14, CCR, is amended to read:

180.3. Restricted Access Spot Prawn Trap Fishery.

(a) Control Date. A control date of January 1, 1999, is established for the purpose of developing a restricted access spot prawn trap fishery. Only those vessels which have made at least one spot prawn landing with trap gear before this date may be considered for inclusion in the restricted access trap fishery. Additional vessels which have made landings of spot prawns with trawl gear between [1990-2001] and [1999-2002] also may be considered for inclusion in the restricted access trap fishery (trawl conversion program).

~~(b) Qualifications of Permittee. Effective April 1, 2002, no person shall use a vessel to land spot prawns for commercial purposes using traps authorized pursuant to Sections 8591 and 9001 of the Fish and Game Code, unless the owner of that vessel has a general trap permit, pursuant to Section 9001 of the Fish and Game Code, and a spot prawn trap vessel permit for that vessel that has not been suspended or revoked. A spot prawn trap vessel permit shall be issued only to the following persons for use on qualifying vessels:—~~

~~—— (1) a person who is the owner of a commercial fishing vessel that has been registered with the department pursuant to Section 7881 of the Fish and Game Code in each of the 1997-98, 1998-99, and 1999-2000 permit years, and has made landings of spot prawns utilizing traps on or before January 1, 1999, as documented by landing receipts that were delivered to the department pursuant to Section 8046 of the Fish and Game Code, and who has satisfied at least one of the following minimum landing requirements:—~~

~~—— (A) at least 20 landings of spot prawns, utilizing traps, in each of the calendar years 1997, 1998, and 1999;—~~

~~—— (B) at least 2,000 pounds of spot prawns landed, utilizing traps, in each of the calendar years 1997, 1998 and 1999.—~~

~~—— (C) at least 10,000 pounds of spot prawns landed, utilizing traps, in each of the calendar years 1998 and 1999.—~~

~~—— (D) Spot prawn trap vessel permits issued pursuant to subsection (b)(1) shall be considered as Tier 1 permits, and permitted vessels are authorized to use the maximum number of traps pursuant to Section 180.1, Title 14.—~~

~~—— (2) a person who is the owner of a commercial fishing vessel that has been registered with the department pursuant to Section 7881 of the Fish and Game Code in each of the 1997-98, 1998-99, and 1999-2000 permit years, and has made landings of spot prawns utilizing traps on or before January 1, 1999, as documented by landing receipts that were delivered to the department pursuant to Section 8046 of the Fish and Game Code, and who does not satisfy any of the minimum landing requirements in subsection (b)(1) and has satisfied at least one of the following minimum landing requirements:—~~

~~—— (A) at least 10 landings of spot prawns, utilizing traps, in calendar year 1998;—~~

~~—— (B) at least 1,000 pounds of spot prawns landed, utilizing traps, in calendar year~~

1998.—

~~———— (C) Spot prawn trap vessel permits issued pursuant to subsection (b)(2) shall be considered as Tier 2 permits. Permitted vessels with Tier 2 permits are limited to fishing a maximum of 150 spot prawn traps at any one time and may not exceed a maximum of 2,500 pounds of spot prawns landed in any permit year. The revenue from any landings in excess of 2,500 pounds in any permit year shall be forfeited to the department. ————~~

~~(C) Spot prawn trap vessel permits issued pursuant to subsection (b)(2) shall be considered as Tier 2 permits. Permitted vessels with Tier 2 permits are limited to fishing a maximum of 150 spot prawn traps at any one time and may not exceed a maximum of 2,500 pounds of spot prawns landed in any permit year. The revenue from any landings in excess of 2,500 pounds in any permit year shall be forfeited to the department.~~

~~———— (3) Any individual, who has been licensed as a California commercial fisherman for at least 20 years, and who has participated in the commercial spot prawn trap fishery for at least one of those years, and who has made at least 20 landings of spot prawns, using traps, totaling at least 10,000 pounds in one of those years, shall be issued a Tier 2 permit.~~

(b) Permit Requirement, Classification of Permits and Permit Conditions. Effective April 1, 2002, no person shall use a vessel to land spot prawns for commercial purposes using traps authorized pursuant to Sections 8591 and 9001 of the Fish and Game Code, unless the owner of that vessel has a general trap permit, issued pursuant to Section 9001 of the Fish and Game Code, and a spot prawn trap vessel permit for that vessel that has not been suspended or revoked.

(1) Tier 1 Permits. Spot prawn trap vessel permits issued pursuant to subsection (c)(1) shall be considered as Tier 1 permits, and permitted vessels are authorized to use the number of traps specified for Tier 1 permits pursuant to Section 180.1(c), Title 14.

(2) Tier 2 Permits. Spot prawn trap vessel permits issued pursuant to subsection (c)(2) shall be considered as Tier 2 permits, and permitted vessels are authorized to use the number of traps specified for Tier 2 permits pursuant to Section 180.1(c), Title 14. Permitted vessels with Tier 2 permits may not exceed a maximum of 2,500 pounds of spot prawns landed in any permit year. The revenue from any landings in excess of 2,500 pounds in any permit year shall be forfeited to the department.

(3) Tier 3 Permits. Spot prawn trap vessel permits issued pursuant to subsection (c)(3) shall be considered as Tier 3 permits, and permitted vessels are authorized to use the number of traps specified for Tier 3 permits pursuant to Section 180.1(c), Title 14. Tier 3 permits shall also be known as trawl conversion permits.

(c) Initial Issuance Criteria. A spot prawn trap vessel permit for a specific tier shall be issued only to the following persons for use on qualifying vessels:

(1) Tier 1 Permits. A person who is the owner of a commercial fishing vessel that has been registered with the department pursuant to Section 7881 of the Fish and Game Code in each of the 1997-98, 1998-99, and 1999-2000 permit years, and has made landings of spot prawns utilizing traps on or before January 1, 1999, as documented by landing receipts that were delivered to the department pursuant to Section 8046 of the Fish and Game Code, and who has satisfied at least one of the following minimum vessel-based landing requirements:

(A) at least 20 landings of spot prawns, utilizing traps, in each of the calendar years 1997, 1998, and 1999;

(B) at least 2,000 pounds of spot prawns landed, utilizing traps, in each of the calendar years 1997, 1998, and 1999;

(C) at least 10,000 pounds of spot prawns landed, utilizing traps, in each of the calendar years 1998 and 1999.

(2) Tier 2 Permits.

(A) A person who is the owner of a commercial fishing vessel that has been registered with the department pursuant to Section 7881 of the Fish and Game Code in each of the 1997-98, 1998-99, and 1999-2000 permit years, and has made landings of spot prawns utilizing traps on or before January 1, 1999, as documented by landing receipts that were delivered to the department pursuant to Section 8046 of the Fish and Game Code, and who does not satisfy any of the minimum landing requirements in subsection (c)(1) and has satisfied at least one of the following minimum vessel-based landing requirements:

1. at least 10 landings of spot prawns, utilizing traps, in calendar year 1998;

2. at least 1,000 pounds of spot prawns landed, utilizing traps, in calendar year 1998.

(B) Any individual, who has been licensed as a California commercial fisherman for at least 20 years, and who has participated in the commercial spot prawn trap fishery for at least one of those years, and who has made at least 20 landings of spot prawns, using traps, totaling at least 10,000 pounds in one of those years, shall be issued a Tier 2 permit.

Option 1: Traditional Qualifying Criteria

(3) Tier 3 Permits. Any person who is the owner of a commercial fishing vessel that has been registered with the department pursuant to Section 7881 of the Fish and Game Code between [1990-2001] and [1999 -2002] meeting the following initial issuance criteria will be eligible for [Tier 3 initial permit issuance] OR [Tier 3 lottery qualification]:

(A) The vessel must have [been issued a 2000-2001 spot prawn observer permit and] made the following minimum vessel-based spot prawn landings in the vessel's name and commercial boat registration number utilizing trawl gear as documented by fish landing receipts that were submitted to the department pursuant to Section 8046 of the Fish and Game Code:

1. at least [1,000 – 150,000] pounds landed between January 1, [1990-2001] through December 31, [1999-2002]; [and] OR [or]

2. at least [1-500] landings made between January 1, [1990-2001] through December 31, [1999-2002]; [and] OR [or]

3. at least [1,000 – 20,000] pounds landed [in each calendar year] OR [in (1-13) of (1-13) calendar years] between [1990-2001] and [1999-2002];[and] OR [or]

4. at least [1-100] landing(s) made [in each calendar year] OR [in (1-13) of (1-13) calendar years] between [1990-2001] and [1999-2002];[and] OR [or]

5. at least 1 landing made in either the 2000 or 2001 calendar year.

(B) Vessels meeting the criteria defined in subsection (c)(3)(A) are eligible for the Tier 3 Lottery described in subsection (c)(3)(C) below [NOTE: This subsection needed only if the lottery option is selected].

Option 2: Prawn Points

(3) Tier 3 Permits. Prawn points will be used to determine eligibility for [initial issuance of Tier 3 permits] [and] [Tier 3 Lottery eligibility]. Any person who is the owner of a commercial fishing vessel that has been registered with the department pursuant to

Section 7881 of the Fish and Game Code between [1990-2001] and [1999 -2002] will receive points based on spot prawn landings made utilizing trawl gear.

(A) Points will be awarded to a vessel based on landing history between January 1, [1990-2001] through December 31, [1999-2002] as documented by fish landing receipts that were submitted to the department pursuant to Section 8046 of the Fish and Game Code in the vessel's name and commercial boat registration number as follows:

1. One hundred prawn points will be earned for each calendar year in which the vessel made a landing of spot prawn with trawl gear between [1990-2001] and [1999 -2002].

2. One prawn point will be earned for every [200-2000] pounds of spot prawn the vessel landed with trawl gear between [1990-2001] and [1999 -2002]; and

3. One prawn point will be earned for each landing of spot prawn a vessel made with trawl gear between [1990-2001] and [1999 -2002];

(B) A vessel [must have in excess of (600 -1600) prawn points to qualify for initial issuance of a Tier 3 permit] [and] OR [or] [must have in excess of (600-1600) prawn points to be eligible for the Tier 3 Lottery described in subsection (c)(3)(C) below].

[NOTE: This subsection needed only if the lottery option is selected].

Lottery Alternative (May be Combined With Option 1 or 2 Above):

(C) A lottery will be held for (1-17) Tier 3 permits based on vessel eligibility requirements defined in this subsection. Owners of vessels that are eligible for the lottery will be notified by the department in writing and sent an application for the lottery at least 30 days prior to the date it will be held. Eligible vessel owners must complete and return the application (FG1424D (new/04) incorporated by reference herein) to the department at least 10 days prior to the drawing to participate in the lottery. Permits will be issued to successful applicants in the order drawn. Payment of the fee for the Tier 3 spot prawn trap vessel permit must be received at the department's License and Revenue Branch, 3211 S Street, Sacramento, CA 95816 within 30 days of the drawing date.

~~(e)-(d) Capacity Goal. The commission has determined that the spot prawn trap fishery capacity goal for Tier 1 and Tier 3 permits combined permits shall be 17. The commission has determined that the spot prawn trap fishery capacity goal for Tier 2 permits shall be 0.~~

~~(1) If the number of permits in Tier 1 is greater than 17 when this restricted access program is implemented, the following provisions will be in effect: An individual would be allowed one Tier 1 permit only if the individual purchases two existing Tier 1 permits. A total of 500 traps would be allowed for the Tier 1 permit. If the purchaser is an existing Tier 2 permittee, the Tier 2 permit would be retired. A permit holder of multiple Tier 1 permits must have all Tier 1 permits on the permit holder's vessel.—~~

~~(2) If the number of permits in Tier 1 falls below 17, the following provisions will be in effect:~~

~~(A) The individual with an active Tier 2 permit and with the greatest amount of spot prawn landings, using traps, among active Tier 2 permit holders for the 5-year period June 1, 1996 to May 31, 2001 would be awarded the first available Tier 1 permit.—~~

~~(B) The individual with an active Tier 2 permit and with the second greatest amount of spot prawn landings, using traps, among active Tier 2 permit holders would be awarded the next available Tier 1 permit, and so on until all Tier 2 permits are retired. After this~~

~~time, when only Tier 1 permits exist, transfers will only be permitted on a one-to-one basis so as not to further reduce the number of permits.~~

~~(d)~~ (e) Application Deadline for Initial Issuance of Spot Prawn Trap Vessel Permit Permits.

(1) Tier 1 and Tier 2 Permits. All applications and permit fees for initial issuance of Tier 1 and Tier 2 spot prawn trap vessel permits must be received by the department or, if mailed, must be postmarked no later than June 30, 2002. Applications for initial issuance of a spot prawn trap vessel permit received from July 1 through July 31, 2002 shall be considered late and will be assessed a late fee. Applications and monies due for the initial issuance of Tier 1 and Tier 2 spot prawn trap vessel permits not received or, if mailed, not postmarked, by July 31, 2002 shall be returned to the applicant unissued.

(2) Tier 3 Permits. All applications (FG 1424 (new, /04) incorporated by reference herein) and permit fees for initial issuance of Tier 3 spot prawn trap vessel permits must be received by the department or, if mailed, must be postmarked no later than February 28, 2005. Applications for initial issuance of a Tier 3 spot prawn trap vessel permits received from March 1 through March 31, 2005 shall be considered late and will be assessed a late fee pursuant to subsection (n). Applications and monies due for the initial issuance of Tier 3 spot prawn trap vessel permits not received or, if mailed, not postmarked, by March 31, 2005 shall be returned to the applicant unissued. [NOTE: This subsection only needed if lottery option is not selected.]

~~(e)~~ (f) Minimum Landing Requirements for Spot Prawn Trap Vessel Permit Renewal. No minimum landings of prawns shall be required to be eligible for renewal of a spot prawn trap vessel permit.

~~(f)~~ (g) Annual Spot Prawn Trap Vessel Permit Renewal. Applications (FG 1422 (8/03) or FG 1424 (new, /04) incorporated by reference herein) for renewal of a spot prawn trap vessel permit shall be received by the department, or, if mailed, postmarked, by April 30 of each year. Applications for a spot prawn trap vessel permit received from May 1 to May 31 will be assessed a late fee pursuant to subsection (n). Spot prawn trap vessel permit renewals received after May 31, or if mailed, postmarked after May 31, shall become expired, shall be returned unissued to the applicant, and shall no longer be eligible for renewal in subsequent years.

~~(g)~~ (h) Presence of Owner on Vessel. An owner of the vessel to which the spot prawn trap vessel permit has been issued must be on the vessel when spot prawns are being taken or landed, except that ~~one additional operator~~ [one additional operator] or [any number of additional operators] may be designated during a license year [due to a medical or hardship reason of the permitted vessel owner only] by informing the department in writing with a letter sent to Department of Fish and Game, Marine Region, 20 Lower Ragsdale Drive, Suite 100, Monterey, California 93940.

~~(h)~~ (i) Appeal for Reinstatement of an Expired Spot Prawn Trap Vessel Permit. Any applicant who is denied issuance of a spot prawn trap vessel permit for failure to submit an application prior to the application deadline may appeal to the department in writing. The department may re-issue a spot prawn trap vessel permit that has not been applied for by the application deadline if the department finds that the failure to renew the permit prior to the expiration date was due to death of the permittee or immediate family member; physical illness, or other hardship. The appeal for reinstatement of an expired spot prawn trap vessel permit shall be received by the department or, if mailed, postmarked on or before March 31 following the permit year in which the applicant last

held a valid spot prawn trap vessel permit.

(i) (j) Revocation of Permit. A spot prawn trap vessel permit shall be revoked if the permittee fails to:

- (1) renew the permit or annually renew his or her commercial fishing license issued pursuant to Section 7852 of the Fish and Game Code; or
- (2) submits false information for the purposes of obtaining a spot prawn trap vessel permit.

(j) (k) Transfer of a Spot Prawn Trap Vessel Permit to Another Vessel. A transfer of a spot prawn trap vessel permit may be approved for use on a replacement vessel only if all of the following criteria are met:

(1) ~~The vessel owner submits a written request for transfer to the department and pays a non-refundable transfer fee. In the form of a notarized letter, the owner of the vessel which is issued a permit shall submit an application for transfer of a Spot Prawn Trap Vessel Permit to the department.~~

(2) ~~Under penalty of perjury the vessel owner signs the application for transfer and certifies that the included information is true to the best of his or her judgement. The vessel owner pays the non-refundable transfer fee specified in subsection (n).~~

(3) ~~The spot prawn trap vessel permit has not been previously transferred in the previous 12 months unless the vessel was lost, stolen, or destroyed within the previous 12 months. Unless the vessel was lost, stolen, or destroyed, a permit may not be transferred more than once during any 12-month period.~~

(4) ~~The spot prawn trap vessel permit for the permitted vessel is current, and the owner of the permitted vessel renewed the permit which becomes due during the application processing period prior to the expiration of the permit.~~

(5) ~~The permitted vessel owner has written authority from the legal owner and/or partners, or mortgager, of the vessel, to which the permit shall be transferred, to transfer the spot prawn trap vessel permit from the permitted vessel.~~

~~(k)~~ (l) Change of Ownership of a Spot Prawn Trap Vessel Permit.

(1) ~~Tier 2 spot prawn trap vessel permits shall not be transferrable transferred to another individual person. Tier 2 permits shall become null and void upon death of the permit holder.~~

(2) ~~All Tier 1 spot prawn trap vessel permits shall be transferrable transferable to another individual person, but not more than once within any 3-year period, and not before April 1, 2005. Upon the death of the permittee, transfer of a Tier 1 spot prawn vessel permit may be considered if the estate makes application, in the form of a notarized letter, for the transfer within one year of the date of death as listed on the death certificate.~~

(3) ~~All Tier 3 spot prawn trap vessel permits shall not be transferable transferred to another person, but not more than once within any 3-year period, and not before October 1, 2007. Upon the death of the permittee, transfer of a Tier 3 spot prawn vessel permit may be considered if the estate makes application, in the form of a notarized letter, for the transfer within one year of the date of death as listed on the death certificate. Tier 3 permits shall become null and void upon death of the permit holder.~~

(4) A change of ownership of a Tier 1 or a Tier 3 spot prawn trap vessel permit to another person may be approved only if the vessel owner submits a written request for change of ownership to the department and pays a non-refundable change of ownership fee. Thereafter, upon notice to the department, the person purchasing the

spot prawn trap vessel permit may use that permit for the taking and landing of spot prawns for any and all of the unexpired portion of the permit year, provided the following requirements are met:

(A) the person purchasing the permit shall have a valid commercial fishing license issued pursuant to Section 7852 of the Fish and Game Code that has not been suspended or revoked, and a general trap permit issued pursuant to Section 9001 of the Fish and Game Code.

(B) the person is the owner of a commercial fishing vessel that has been registered with the department pursuant to Section 7881 of the Fish and Game Code. The person receiving the permit shall be eligible for a permit, pursuant to the provisions of this section, for the use of that vessel in subsequent years.

~~(3) (5) Notwithstanding subsection (k)(2), on~~ Notwithstanding the transfer of ownership provisions in subsection (l) for Tiers 1 and 3, upon the death of a spot prawn trap vessel Tier 1 or Tier 3 permittee or heir the estate may apply to the department to transfer that permit to the estate him or her. The application for transfer shall be received by the department within one year of the death of the permittee.

~~(4) (m)~~ Appeals.

(1) Any applicant who is denied initial issuance of a spot prawn trap vessel Tier 1 or Tier 2 permit for any reason may appeal that denial to the department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked no later than March 31, 2003. Any applicant who is denied initial issuance of a Tier 3 spot prawn trap vessel permit for any reason may appeal that denial to the department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked no later than September 30, 2005. The appeal shall be reviewed and decided by the department. The decision of the department may be appealed in writing to the commission within 60 days of the date of the department's decision.

(2) Any applicant who is denied renewal of a spot prawn trap vessel permit may appeal the denial to the department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked no later than March 31 following the permit year in which the applicant last held a valid spot prawn trap vessel permit. The appeal shall be reviewed and decided by the department. The decision of the department may be appealed in writing to the commission within 60 days of the date of the department's decision.

(3) Any applicant who is denied transfer of a spot prawn trap vessel permit may appeal the denial to the department in writing describing the basis for the appeal. The appeal shall be reviewed and decided by the department. The decision of the department may be appealed in writing to the commission within 60 days of the date of the department's decision.

~~(4) In the above cases, the commission may order the department to issue or transfer the permit upon appeal if the commission finds that the appellant qualified for a permit under the restrictions of the restricted access program.~~

~~(m) (n)~~ Fees.

(1) Tier 3 Initial Issuance Fee. The department shall charge a fee for each Tier 3 spot prawn trap vessel permit of [two hundred fifty dollars - one thousand dollars] [\$250.00-\$1000.00].

(2) Annual Renewal Fee. The department shall charge an annual fee for each Tier 1 and Tier 2 spot prawn trap vessel permit of two hundred fifty dollars (\$250.00). The department shall charge an annual renewal fee for each Tier 3 spot prawn trap vessel

permit of [two hundred fifty dollars - one thousand dollars] [\$250.00-\$1000.00].

~~(2)~~ (3) Vessel Transfer Fee. The department shall charge a non-refundable fee of two hundred dollars (\$200.00) for each vessel transfer.

~~(3)~~ (4) Change of Ownership Fee. The department shall charge a non-refundable fee of fifty dollars (\$50.00) for each change of ownership of the spot prawn trap vessel permit.

~~(4)~~ (5) Initial Issuance Late Fees. The department shall charge a non-refundable late fee of fifty dollars (\$50.00) if an application for initial issuance of a Tier 1 or Tier 2 spot prawn trap vessel permit is received from July 1 to July 31, 2002. The department shall charge a non-refundable late fee of fifty dollars (\$50.00) if an application for initial issuance of a Tier 3 spot prawn trap vessel permit is received from March 1 to March 31, 2005.

~~(5)~~ (6)Renewal Late Fee. The department shall charge a non-refundable late fee of fifty dollars (\$50.00) if an application for renewal of a spot prawn trap vessel permit is received from May 1 to May 31.

NOTE:

Authority cited: Section 8591, Fish and Game Code. Reference: Sections 8101, 8590-8595, 9000, 9001 and 9015, Fish and Game Code.